

E-Filed on 05/25/07

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9 **UNITED STATES BANKRUPTCY COURT**
 10 **DISTRICT OF NEVADA**

11 In re:

12 USA COMMERCIAL MORTGAGE
 13 COMPANY,

14 USA CAPITAL REALTY ADVISORS,
 15 LLC,

16 USA CAPITAL DIVERSIFIED TRUST
 17 DEED FUND, LLC,

18 USA CAPITAL FIRST TRUST DEED
 19 FUND, LLC,

20 USA SECURITIES, LLC, Debtors.

21 **Affects:**

22 All Debtors
 23 USA Commercial Mortgage Company
 24 USA Capital Realty Advisors, LLC
 25 USA Capital Diversified Trust Deed Fund, LLC
 26 USA Capital First Trust Deed Fund, LLC
 27 USA Securities, LLC

28 Case No. BK-S-06-10725-LBR
 29 Case No. BK-S-06-10726-LBR
 30 Case No. BK-S-06-10727-LBR
 31 Case No. BK-S-06-10728-LBR
 32 Case No. BK-S-06-10729-LBR

33 **CHAPTER 11**

34 Jointly Administered Under Case No.
 35 BK-S-06-10725 LBR

36 **MOTION FOR ORDER REQUIRING**
 37 **SEDGWICK, DETER, MORAN &**
 38 **ARNOLD LLP TO PRODUCE**
 39 **DOCUMENTS AND ONE OR MORE**
 40 **REPRESENTATIVES FOR**
 41 **EXAMINATION PURSUANT TO**
 42 **FEDERAL RULE OF**
 43 **BANKRUPTCY PROCEDURE 2004**

44 [No hearing required]

45 Pursuant to Federal Rule of Bankruptcy Procedure 2004, the USACM Liquidating
 46 Trust (the “Trust” or “Movant”) hereby moves this Court for an order requiring Sedgwick,
 47 Detert, Moran & Arnold LLP (“Sedgwick Detert”) to produce documents and one or more
 48 representatives, as set forth in the subpoena to be issued under Federal Rule of Bankruptcy
 49

1 Procedure 9016, to appear for examination at the office of Development Specialists, Inc.,
2 333 S. Grand Avenue, Suite 4070, Los Angeles, California 90071-1544, on a business day
3 no earlier than ten (10) business days after the filing of this Motion and no later than July
4 15, 2007, or at such other mutually agreeable location, date, and time, and continuing from
5 day to day thereafter until completed.

6
7 This Motion is further explained in the following Memorandum.
8

9
10 **Memorandum**

11 The Trust seeks information concerning various transactions between Sedgwick
12 Detert and USACM, the other debtors in the above-captioned cases (together with
13 USACM, the “Debtors”), and the Debtors’ affiliates, subsidiaries, parents, or otherwise
14 related entities. Sedgwick Detert is one of several title companies that participated in the
15 documents of loan transactions between the Debtors and their borrowers. The Trust seeks
16 this information from the title companies to assist in the collection of the assets and the
17 investigation of the liabilities of the Debtors.

18 In particular, the Trust will seek the following categories of documents from
19 Sedgwick Detert and other title companies:
20

21

- 22 • Closing statements from transactions in which Debtors participated;
- 23 • Purchase contracts, amendments, and assignments from these transactions;
- 24 • Deeds of trust from these transactions;
- Documents identifying other escrows relating to the properties at issue;
- Title policies issued in connection with the closing of the transactions in
which Debtors participated.

The requested discovery from Sedgwick Detert is within the scope of examination permitted under Bankruptcy Rule 2004, which includes:

[t]he acts, conduct, or property or . . . the liabilities and financial condition of the debtor, or . . . any matter which may affect the administration of the debtor's estate, or to the debtor's right to a discharge. In a . . . reorganization case under chapter 11 of the Code, . . . the examination may also relate to the operation of any business and the desirability of its continuance, the source of any money or property acquired or to be acquired by the debtor for purposes of consummating a plan and the consideration given or offered therefore, and any other matter relevant to the case or to the formulation of a plan.

Conclusion

Accordingly, the Movant requests that this Court enter the form of order submitted with this Motion.

Dated: May 25, 2007.

DIAMOND MCCARTHY LLP

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¹ FED.R. BANKR. P. 2004(b).